

MOTION BY SUPERVISOR GLORIA MOLINA

January 23, 2007

SUBSTITUTE MOTION TO ITEM NO. 14

At the direction of this Board, the Department of Human Resources conducted a study of the County's current practices related to the request for criminal conviction history from job applicants. The study found that most applicants who have conviction backgrounds are allowed to participate in the examination process and those applications that are disqualified are based on job nexus and if the offense is recent. However, it could not conclusively determine that the request for conviction information on the current job application is a deterrent to formerly incarcerated individuals from applying for employment.

All qualified candidates should have an equal opportunity for employment consideration. However, we acknowledge that there is social stigma for those with criminal records. However, a criminal background check is necessary prior to being hired to ensure the candidates compatibility with County employment standards. We also have a responsibility to not mislead potential candidates and inform them directly that their conviction history will be considered.

MOTION

Molina	_____
Burke	_____
Knabe	_____
Antonovich	_____
Yaroslavsky	_____

I, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS: Instruct the Director of Personnel and County Counsel to:

1. Remove the question regarding an applicant's criminal conviction history from the county's employment application; and
2. Develop an addendum to the application that requests conviction history; and
3. For sensitive positions, request the conviction history during the application process. For all other positions, request the conviction history after the qualified candidates are placed on the eligible list; and
4. Phase in the implementation of the above provisions during the next six months by replacing the applications currently in use so that additional costs are not incurred by the County; and
5. Report back on a countywide policy on conducting criminal background checks that ensures consistent and fair standards.

AU/ld